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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/542,027	01/17/2006	Michael Freimuth	32860-00905/US	8483

30596 7590 01/15/2008  
HARNESSE, DICKEY & PIERCE, P.L.C.  
P.O.BOX 8910  
RESTON, VA 20195

EXAMINER
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DUVERNE, JEAN F

ART UNIT	PAPER NUMBER
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2839

MAIL DATE	DELIVERY MODE
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01/15/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

### Application No.

10/542,027

### Applicant(s)

FREIMUTH ET AL.

### Examiner

Jean F. Duverne

### Art Unit

2839

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE \_\_\_\_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 23 October 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-10 and 12-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 and 12-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-10, 12-21 rejected under 35 U.S.C. 102(e) as being anticipated by Eggert et al (US patent 5,629,831).

In regard to claims 1, 6, 14, Eggert's device a modular device discloses a housing (see figs. 1-2) at least one module location at 15; at least one connection module arrangeable at the module location including a connection device; a contact means at 19, 8 per connection module the contact means for contacting with the opposing contact means at 25 or 15; and an insulating means arranged at least of an end and longitudinal side at 30 on at least one the contact means and the opposing means covering the contact means on at least one end of the longitudinal side at 30.

In regard to claim 2, 15, Eggert's device discloses the aforementioned limitations including the insulating housing base at 3 with the insulating bracket.

In regard to claims 3, 5, 12-13, Eggert's device discloses the aforementioned limitations including the insulating housing base at 3 integrated means as a plug in the housing.

In regard to claims 4, 16-19, Eggert's device discloses the aforementioned limitations including the integrated means as being parallel and perpendicular to the longitudinal side (see figs. 1-2).

In regard to claims 7, 20 Eggert's device discloses the aforementioned limitations including the retaining means (see figs. 1-2).

In regard to claims 8-10, 21, Eggert's device discloses the aforementioned limitations including the alignment or coding means (see figs. 1-2).

### **Response to Amendment**

Applicant's arguments filed with the amendment on 10/23/2007 have been fully considered but they are not persuasive. The claims do not define structural features that distinguish over prior art. For example, Eggert's device a modular device discloses a housing (see figs. 1-2) at least one module location at 15; at least one connection module arrangeable at the module location including a connection device; a contact means at 19, 8 per connection module the contact means for contacting with the opposing contact means at 25 or 15; and an insulating means at 51 arranged at least of an end and longitudinal side at 30 on at least one the contact means and the opposing means covering the contact means on at least one end of the longitudinal side at 30.

In regard to claim 2, 15, Eggert's device discloses the aforementioned limitations including the insulating housing base at 3 with the insulating bracket. In fig. 2, the

terminal blocks having the guide rails are arranged in longitudinal arrangement to fit into the rail at 30 Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). , Eggert's device meets the claims as broadly recited.

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

#### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean F. Duverne whose telephone number is (571) 272-2091. The examiner can normally be reached on 9:00-7:30, Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, TC Patel can be reached on (571) 272-2098. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

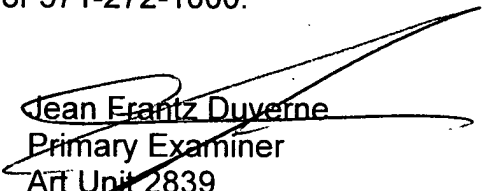
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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JFD

01/06/2007

  
Jean-François Duverne  
Primary Examiner  
Art Unit 2839